

# Declaration and Power of Attorney for Patent Application

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

HETEROAROMATIC GLUCOKINASE ACTIVATORS  
the specification of which

(check one)

☐ is attached hereto.

☒ was filed on September 28, 2000 as

Application Serial No. 09/675,781

and was amended on \_\_\_\_\_  
(if applicable)

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR § 1.56.

I hereby claim foreign priority benefits under 35 U.S.C. § 119(a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate, or § 365(a) of any PCT International application which designated at least one country other than the United States, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or PCT International application having a filing date before that of the application on which priority is claimed.

## Prior Foreign Application(s)

## Priority Claimed

<u>                    </u> (Number)	<u>                    </u> (Country)	<u>                    </u> (Day/Month/Year Filed)	<input type="checkbox"/> Yes	<input type="checkbox"/> No
<u>                    </u> (Number)	<u>                    </u> (Country)	<u>                    </u> (Day/Month/Year Filed)	<input type="checkbox"/> Yes	<input type="checkbox"/> No

hereby claim the benefit under 35 U.S.C. § 119(e) of any United States provisional application(s) listed below.

<u>60/126,707</u> (Application No.)	<u>March 29, 1999</u> (Filing Date)	<u>60/165,944</u> (Application No.)	<u>November 17, 1999</u> (Filing Date)
<u>                    </u> (Application No.)	<u>                    </u> (Filing Date)	<u>                    </u> (Application No.)	<u>                    </u> (Filing Date)

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s), or § 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR § 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

09/526,143  
(Application Serial No.)

March 15, 2000  
(Filing Date)

Pending  
(Status) (patented, pending, abandoned)

\_\_\_\_\_  
(Application Serial No.)

\_\_\_\_\_  
(Filing Date)

\_\_\_\_\_  
(Status) (patented, pending, abandoned)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith. (*list name and registration number*)

George W. Johnston (Reg. No. 28090)  
William H. Epstein (Reg. No. 20008)  
F. Aaron Dubberley (Reg. No. 41001)

Dennis P. Tramaloni (Reg. No. 28542)  
Patricia S. Rocha-Tramaloni (Reg. No. 31054)

Send Correspondence to:

George W. Johnston, Esq., Hoffmann-La Roche Inc., 340 Kingsland Street, Nutley, New Jersey 07110-1199

\_\_\_\_\_  
Direct Telephone Calls to: (name and telephone number)

William H. Epstein (973) 235-3723

Fred Thomas Bizzarro

\_\_\_\_\_  
Full name of sole or first inventor

Fred Thomas Bizzarro  
Inventor's signature

11/09/2001  
Date

Colonia, Middlesex County, New Jersey 07067  
Residence

United States of America  
Citizenship

85 Sterling Drive, Colonia, New Jersey 07067  
Post Office Address

Wendy Lea Corbett

Full name of second joint inventor, if any

Wendy Lea Corbett

Second Inventor's signature

January 9, 2001

Date

Randolph, Morris County, New Jersey 07869

Residence

United States of America

Citizenship

36 Ridgewood Drive, Randolph, New Jersey 07869

Post Office Address

Joseph Francis Grippo

Full name of third joint inventor, if any

Joseph Francis Grippo

Third Inventor's signature

January 9, 2001

Date

Stirling, Morris County, New Jersey 07980

Residence

United States of America

Citizenship

324 Somerset Street (#7), Stirling New Jersey 07980

Post Office Address

Nancy-Ellen Haynes

Full name of fourth joint inventor, if any

Nancy - Ellen Haynes

Fourth Inventor's signature

1/9/2001

Date

Cranford, Union County, New Jersey 07016

Residence

United States of America

Citizenship

508 Linden Place, Cranford, New Jersey 07016

Post Office Address

George William Holland

Full name of fifth joint inventor, if any

George William Holland  
Fifth Inventor's signature

12/27/00

Date

Houston, Harris County, Texas, 77007

Residence

United States of America

Citizenship

402 Park Trail Lane, Houston, Texas 77007

Post Office Address

Robert Francis Kester

Full name of sixth joint inventor, if any

Robert Francis Kester  
Sixth Inventor's signature

1/9/2001  
Date

Verona, Essex County, New Jersey 07044

Residence

United States of America

Citizenship

36B Malvern Place, Verona, New Jersey 07044

Post Office Address

Paige Erin Mahaney

Full name of seventh joint inventor, if any

Paige Erin Mahaney  
Seventh Inventor's signature

1/9/2001  
Date

Montclair, Essex County, New Jersey

Residence

United States of America

Citizenship

216 Inwood Avenue, Montclair, New Jersey 07043

Post Office Address

Ramakanth Sarabu

Full name of eighth joint inventor, if any

*Ramakanth Sarabu*

Seventh Inventor's signature

*Jan 8, 2001*

Date

Pine Brook, Morris County, New Jersey 07058

Residence

India

Citizenship

4100 Rachel Terrace, Apt. #17, Pine Brook, NJ 07058

Post Office Address

Title 37, Code of Federal Regulations, §1.56, duty to disclose information material to patentability provides, in part, that each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is cancelled or withdrawn from consideration, or the application becomes abandoned.

Under this section, information is material to patentability when it is not cumulative to information already of record or being made of record in the application, and

- (1) It establishes, by itself or in combination with other information, a prima facie case of unpatentability of a claim; or
- (2) It refutes, or is inconsistent with, a position the applicant takes in:
  - (i) Opposing an argument of unpatentability relied on by the Office, or
  - (ii) Asserting an argument of patentability.